

STATE OF MINNESOTA

DISTRICT COURT

FILED

COUNTY OF SCOTT

NOV 20 2009

FIRST JUDICIAL DISTRICT

Case Type: Mechanic's Lien Foreclosure

SCOTT COUNTY COURTS

In re M.W. Johnson Construction, Inc.
Mechanic's Lien Foreclosure Litigation

Consolidated Master Court File: 70-CV-09-7343

Judge: Jerome B. Abrams

Stewart Plumbing, Inc.,

Scott County Court File: 70-CV-08-12187

Plaintiff,

**STIPULATION OF PARTIAL DISMISSAL
WITHOUT PREJUDICE;**

vs.

**ORDER FOR PARTIAL DISMISSAL
WITHOUT PREJUDICE**

Alex Hernandez, Beilen Hernandez,
M.W. Johnson Construction, Inc.,
Countrywide Bank, FSB, Automated
Building Components, Inc., Slate
Cement, Inc., Pyramid Enterprises,
Inc., Elite Waste Disposal,

Defendants,

and

Maureen Johnson,

Additional Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff Stewart Plumbing, Inc., Defendants Automated Building Components, Inc., Alex Hernandez, Bielin Hernandez and Countrywide Bank FSB, by and through their undersigned attorneys, that all remaining claims, counterclaims, cross-claims and third-party claims by Automated Building Components, Inc. in the above-captioned matter shall be dismissed without prejudice and without an award of costs, disbursements or attorney's fees to any party.

CHRISTENSEN & LAUE, P.A.

Dated: October 21st, 2009

By: 

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Attorney for Plaintiff Stewart Plumbing, Inc.

BRUTLAG, HARTMANN & TRUCKE, P.A.

Dated: October 20, 2009

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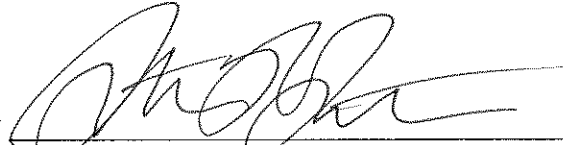
Attorneys for Defendant

Automated Building Components, Inc.

COLEMAN, HULL & VAN VLIET, PLLP

Dated: October 20, 2009

By



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Attorneys for Defendants

Alex Hernandez, Beilin A. Hernandez and

Countrywide Bank, FSB

ORDER FOR PARTIAL DISMISSAL WITHOUT PREJUDICE

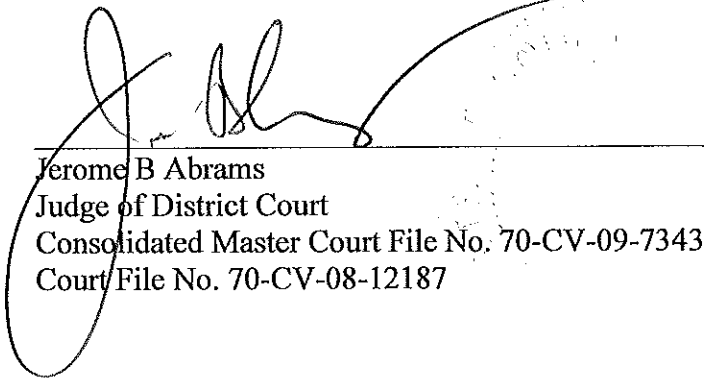
Pursuant to the foregoing Stipulation of Partial Dismissal without Prejudice entered into by and among Plaintiff Stewart Plumbing, Inc., Defendants Automated Building Components, Inc., Alex Hernandez, Bielin Hernandez and Countrywide Bank FSB, by and through their attorneys, the Court makes the following **ORDER**:

1. The parties' Stipulation of Partial Dismissal without Prejudice is hereby approved in all respects.
2. All of Automated Building Components, Inc.'s remaining claims, counter-claims, crossclaims and third-party claims in this matter are hereby dismissed **WITHOUT PREJUDICE** and without an award of costs, disbursements or attorneys' fees to any party.

SO ORDERED.

BY THE COURT:

Dated: Nov 19, 2009


Jerome B Abrams
Judge of District Court
Consolidated Master Court File No. 70-CV-09-7343
Court File No. 70-CV-08-12187